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02-1501

SUBSTITUTE for PTAB Form 6 (08/00) Utility Patent Application Transmittal
for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

A
JC867 U.S. PTO
02/14/01
J1040 U.S. PTO
09/782855
02/14/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | | |
|--|------------------------------|------------------------|
| Attorney Docket No. | | 20526Y |
| First Inventor or Application Identifier | | Dann LeRoy Parker, Jr. |
| Title | ESTROGEN RECEPTOR MODULATORS | |
| Express Mail Label No. | | e1523908628US |

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|--|--|--|--|
| APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i> | | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 | |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Specification [Total Pages 155] | | 6. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ol style="list-style-type: none"> <input type="checkbox"/> Computer Readable Form <input type="checkbox"/> Paper Copy (identical to computer copy) <input type="checkbox"/> Statements verifying identity of above copies | |
| 3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets] [Total Pages 155] | | | |
| ACCOMPANYING APPLICATION PARTS | | | |
| 4. Oath or Declaration <ol style="list-style-type: none"> <input checked="" type="checkbox"/> Newly executed (original or copy) <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 14 completed)</i> <ol style="list-style-type: none"> <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b). | | | |
| 5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | | | |
| 7. <input type="checkbox"/> Assignment papers (cover sheet & document(s)) | | | |
| 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney | | | |
| 9. <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Copies of IDS Citations | | | |
| 10. <input type="checkbox"/> Preliminary Amendment | | | |
| 11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> | | | |
| 12. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> | | | |
| 13. <input type="checkbox"/> Other: _____ | | | |

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No. _____ / _____

Prior application information: Examiner _____

Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

| | | | | | |
|---|--|-----------|---------------|----------|------------------|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | Customer No. 000210 (Insert Customer No. or Attach bar code here) | | | | |
| NAME | Nicole M. Wallinger | | | | |
| ADDRESS | Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30 | | | | |
| CITY | Rahway | STATE | NJ | ZIP CODE | 07065-0907 |
| COUNTRY | USA | TELEPHONE | 732-594- 1107 | | FAX 732-594-4720 |

| | | | |
|-----------|---------------------|-----------------------------------|--------|
| Name | Nicole M. Wallinger | Registration No. (Attorney/Agent) | 45,194 |
| Signature | | Date | |

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT February 14, 2001

EXPRESS MAIL NO. EL523908628US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.

MAILED BY J.B. Crowley DATE 2/14/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

Deposit Acct. 13-2755

MERCK & CO., INC.

Our Case Docket No. 20526Y

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is the patent application of Inventor(s):
Dann LeRoy Parker, Jr.; Ronald W. Ratcliffe; Robert R. Wilkening; Kenneth J. Wildonger

For: ESTROGEN RECEPTOR MODULATORS

| For | Number Filed | Number Extra | Rate | Basic Fee \$710 |
|---|--------------|--------------|--------------------|-----------------|
| Total Claims | 21 - 20 = | 1 X | \$18 | = \$18 |
| Independent Claims | 2 - 3 = | 0 X | \$80 | = \$0 |
| Multiple Dependent Claims* | 0 | 0 X | \$270 | = \$0 |
| * Add this fee if application contains any multiple dependent claims, regardless of number. | | | TOTAL FILING FEE → | \$728 |

Please charge my Deposit Account No. 13-2755 in the amount of \$ 728. The Assistant Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-2755. Duplicate copy of this sheet is enclosed.

Under the provisions of 37 C.F.R. §1.53, this application is being filed without the declaration of each inventor.

Respectfully,

By: Nicole M. Wallinger
Attorney For Applicant(s)

Reg. No. 45,194

MERCK & CO., INC.
Patent Dept., RY60-30
P.O. Box 2000
Rahway, N.J. 07065-0907
(732) 594- 1107

Date: February 14, 2001

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| EXPRESS MAIL CERTIFICATE | |
| DATE OF DEPOSIT | <u>February 14, 2001</u> |
| EXPRESS MAIL NO. | <u>EL523908628US</u> |
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IN DUPLICATE